

UNITED STATES DISTRICT COURT

Southern District of California

WELLTEC MACHINERY USA, INC., et al

BILL OF COSTS

V.

Case Number: 08 CV 0877 BEN LSP

TAYLOR'S INDUSTRIAL SERVICES, LLC, et al.

Judgment having been entered in the above entitled action on 09/04/08 against PLAINTIFF
 the Clerk is requested to tax the following as costs:
 Date

Fees of the Clerk	\$ 350.00
Fees for service of summons and subpoena	
Fees of the court reporter for all or any part of the transcript necessarily obtained for use in the case	
Fees and disbursements for printing	49.65
Fees for witnesses (itemize on reverse side)	
Fees for exemplification and copies of papers necessarily obtained for use in the case	
Docket fees under 28 U.S.C. 1923	
Costs as shown on Mandate of Court of Appeals	
Compensation of court-appointed experts	
Compensation of interpreters and costs of special interpretation services under 28 U.S.C. 1828	
Other costs (please itemize)	
TOTAL	\$ 399.65

SPECIAL NOTE: Attach to your bill an itemization and documentation for requested costs in all categories.

DECLARATION

I declare under penalty of perjury that the foregoing costs are correct and were necessarily incurred in this action and that the services for which fees have been charged were actually and necessarily performed. A copy of this bill was mailed today with postage prepaid to: Served via Electronic Mail Notice.

Signature of Attorney: /s/ Edward J. McIntyre

Name of Attorney: Edward J. McIntyre [SBN 80402], SOLOMON WARD SEIDENWURM & SMITH LLP

For: Defendant, WELLTEC MACHINERY USA, INC.

Date: 09/10/08

Name of Claiming Party

Please take notice that I will appear before the clerk who will tax said costs on _____ at _____

Costs are taxed in the amount of _____ and included in the judgment.

Clerk of Court

By: _____
Deputy Clerk

Date

WITNESS FEES (computation, cf. 28 U.S.C. 1821 for statutory fees)

NAME AND RESIDENCE	ATTENDANCE		SUBSISTENCE		MILEAGE		Total Cost Each Witness
	Days	Total Cost	Days	Total Cost	Miles	Total Cost	
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
							\$0.00
					TOTAL		\$0.00

NOTICE**Section 1924, Title 28, U.S. Code (effective September 1, 1948) provides:**

"Sec. 1924. Verification of bill of costs."

"Before any bill of costs is taxed, the party claiming any item of cost or disbursement shall attach thereto an affidavit, made by himself or by his duly authorized attorney or agent having knowledge of the facts, that such item is correct and has been necessarily incurred in the case and that the services for which fees have been charged were actually and necessarily performed."

See also Section 1920 of Title 28, which reads in part as follows:

"A bill of costs shall be filed in the case and, upon allowance, included in the judgment or decree."

The Federal Rules of Civil Procedure contain the following provisions:**Rule 54 (d)**

"Except when express provision therefor is made either in a statute of the United States or in these rules, costs shall be allowed as of course to the prevailing party unless the court otherwise directs, but costs against the United States, its officers, and agencies shall be imposed only to the extent permitted by law. Costs may be taxed by the clerk on one day's notice. On motion served within 5 days thereafter, the action of the clerk may be reviewed by the court."

Rule 6(e)

"Whenever a party has the right or is required to do some act or take some proceedings within a prescribed period after the service of a notice or other paper upon him and the notice or paper is served upon him by mail, 3 days shall be added to the prescribed period."

Rule 58 (In Part)

"Entry of the judgment shall not be delayed for the taxing of costs."

U.S. DISTRICT COURT
Southern District of California
Case No. 08 CV 0877 BEN LSP
Hon. Roger T. Benitez

ITEMIZATION OF COSTS NECESSARILY INCURRED BY DEFENDANT

Fees of the Clerk:

Defendant's Notice of Removal (Filed 5/16/08)	\$350.00	
Total Fees of the Clerk:		\$350.00

Fees and Disbursements for Printing:

5/16/08 Federal Civil Cover Sheet	3 pgs @ \$.15	\$0.45	
5/16/08 Notice of Removal of Action to Federal Court and supporting exhibits	210 pgs @ \$.15	\$31.50	
5/23/08 Motion to Dismiss and supporting documents	72 pgs @ \$.15	\$10.80	
5/27/08 Notice of Party with Financial Interest	8 pgs @ \$.15	\$1.20	
6/02/08 Demand for Jury Trial	6 pgs @ \$.15	\$0.90	
6/23/08 Reply in Support of Motion to Dismiss and supporting documents	22 pgs @ \$.15	\$3.30	
6/23/08 Objections to Evidence Submitted in Plaintiffs' Opposition to Motion to Dismiss	10 pgs @ \$.15	\$1.50	
Total Fees & Disbursements for Printing:			\$49.65

TOTAL COSTS INCURRED BY DEFENDANT		\$399.65
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EXHIBIT A



2250 FOURTH AVENUE, SAN DIEGO, CA 92101 Phone: (619) 233-9700 FAX# (619) 685-4294 www.knoxservices.com

/SNH

INVOICE # 307252

INVOICE DATE 05/28/08

KNOX FILE # K 0408950-01

BILLED TO:

Acct #: 02221

ORDERING FIRM:

EDWARD MCINTYRE, ESQ. (SBN206984)

SOLOMON, WARD, SEIDENWURM & SMITH

401 "B" STREET, SUITE 1200

SAN DIEGO CA 92101

Attention : DEB

Atty File#: 65052.002

Phone : 619-231-0303

SAME

OK
D

DESCRIPTION OF SERVICES

FILING : NOTICE OF REMOVAL

Filing completed on 05/16/08 at 02:35 PM (JWB)

COURT INFORMATION

**COURT : UNITED STATES DISTRICT COURT, SO. DISTRICT OF
SAN DIEGO, CA 92189**

CASE # :

**CASE NAME : WELLTER
TAYLORS**

DESCRIPTION OF CHARGES

AMOUNT

Priority Filing JWB 15.75

Fees Advanced #0518 * 350.00

INVOICE TOTAL --> \$ 365.75

BALANCE DUE --> \$ 365.75

Thank you for allowing us to serve your needs.

Please remit payment along with the attached remittance stub, or a copy of this invoice. Net due upon receipt. IRS # 95-3057541
ALL ACCOUNTS OVER THIRTY DAYS PAST DUE ARE SUBJECT TO A CARRYING CHARGE OF 1.5% OR \$5.00 MINIMUM PER MONTH.
ACCEPTANCE OF WORK PRODUCT CONSTITUTES ACCEPTANCE OF TERMS. SHOULD DEFAULT BE MADE IN PAYMENT HEREOF, THE ENTIRE
AMOUNT SHALL BECOME IMMEDIATELY DUE. SHOULD LEGAL ACTION BE NECESSARY TO ENFORCE COLLECTION THEREOF, THE PURCHASER
SHALL PAY SUCH SUM AS THE COURT MAY AFFIX AS REASONABLE ATTORNEY'S FEES AND COSTS.

CERTIFICATE OF SERVICE

On September 10, 2008, I caused DEFENDANT'S BILL OF COSTS to be served in the following manner:

Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case:

Gabriel G. Hedrick, Esq.
Handal & Associates
1200 Third Avenue, Suite 1321
San Diego, CA 92101
ghedrick@handal-law.com
Telephone: (619) 544-6400
Facsimile: (619) 696-0323

Manual Notice List

The following is the list of attorneys who are not on the list to receive e-mail notices for this case (who therefore require manual noticing).

Manual Notice List

The following is the list of attorneys who are not on the list to receive e-mail notices for this case (who therefore require manual noticing).

None.

/s/ Edward J. McIntyre
EDWARD J. MCINTYRE